



# WEEKLY REPORT

## ARIZONA GAME AND FISH DEPARTMENT

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## Arizona Game and Fish Commission

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**Publish Date: Friday, June 27, 2008**

**W**eekly Report is published by the Arizona Game and Fish Department Legislative Affairs Division. During the Legislative Session, we provide a summary of legislation that pertains to the Department. If there are issues you would like to address, please let us know. Send an email to: [aguiles@azgfd.gov](mailto:aguiles@azgfd.gov)

## Legislative News:

- Arizona's 48<sup>th</sup> Legislature, second regular session adjourned, sine die, at 10:09 PM on Friday, June 27<sup>th</sup>.
- The Governor has signed the FY-2009 budget.
- An FY-09 budget has narrowly passed both chambers of the Arizona Legislature. The Senate passed a budget package at approximately 5:30 AM on Thursday, June 26<sup>th</sup>. Working through the night, members such as Gould and Harper worked collectively to filibuster. Obscure motions, rules attorney deliberation, explanation of votes, and consistent calls for division were the efforts put forth to stall and tire members. The budget passed with a 16-10 vote and was transmitted to the House for consideration. The House voted up the bill with a 31-29 vote, another slim margin. Some of the conservative members contributed to the passage of the budget package in the House. The package has been transmitted to the Governor and awaits her signature.
- The off-highway vehicle (OHV) bill, in an unbelievably long 10 minutes, was brought before the Senate body to narrowly pass final read with a 16-10 vote. Senator Ron Gould from District 3, was absent on Monday, June 23<sup>rd</sup>, which was fortunate for stakeholders as it was believed that he intended to filibuster with dilatory motions, and long-winded explanations. This particular bill was the final vote last year before *sine die* (formal adjournment of the legislative session), and failed with several members leaving the floor. The bill was signed by the Governor late on Friday, June 26<sup>th</sup>.

## Congressional News:

- House Natural Resources Committee approved emergency legislation which now bars uranium mining near the Grand Canyon. The emergency resolution utilized the authority granted to the committee under the Federal Land Policy and Management Act of 1976 (FLPMA) to compel Department of Interior Secretary, Dirk Kempthorne to withdraw the public land around the Grand Canyon. Republicans walked out of the mark-up, which allowed the measure to pass 20-2.

# POSTED CALENDARS AND COMMITTEE HEARINGS

## Senate Public Safety & Human Services

**Friday 06/27/08, Senate Rm. 3**

SCR1001: JUDICIAL APPOINTMENT COMMISSIONS; NONATTORNEY MEMBERS

**STRIKER: MERIT SELECTION THRESHOLD**

Will meet upon adjournment or recess of floor.

## Senate Rules

**Friday 06/27/08, 2nd Flr. Caucus Rm.**

SCR1001: JUDICIAL APPOINTMENT COMMISSIONS; NONATTORNEY MEMBERS

## *Quick Reference* *AGFD Related Legislation* (For Period Ending Friday, June 27, 2008)

## New Report

48th Legislature - 2nd Regular Session, 2008

## Support

H2024: MEGAN EVANS' LAW	All new and used motorized watercraft sold in the state shall display carbon monoxide warning stickers, and a carbon monoxide brochure shall be provided to new owners of a new or used motorized watercraft. While the engine of a motorized watercraft is in operations, a person shall not do any of the following behind the craft: 1) occupy the swim platform, ladder or step; 2) swim near the craft's exhaust ports; 3) Hang on the craft's swim platform, ladder or step if the craft is in motion; or 4) Body surf in the wake of the craft. This act is to be called Megan Evans' Law (named for a 7-year old girl from Flagstaff who died at Lake Powell from carbon monoxide poisoning in July 2007). Emergency clause.	First sponsor: Rep. Tom	2/18additionally referred to House jud.
H2067: GAME AND FISH; GUIDE LICENSES	The penalties the Dept of Game and Fish may imposed upon a licensed guide are statutorily prescribed.	First sponsor: Rep. Jerry Weiers	5/20from Senate rules okay.
H2068: GAME AND FISH;	Establishes the Youth and Women's Shooting Sports Fund, consisting of the net profits from the sale of goods or	First sponsor:	3/24from Senate nat res-rural do pass.

PRIVATE ENTERPRISE; FUND	services (excluding firearms) at shooting ranges owned by the Game and Fish Commission. The fund is administered by the Commission and used to encourage youth and women to participate in shooting sports. AS PASSED HOUSE.	Rep. Jerry Weiers	
H2251 (Chapter 37): GAME & FISH OMNIBUS	Various changes to statutes relating to game and fish, including rewriting language pertaining to voluntary and mandatory training courses offered by the Game and Fish Commission; expanding the types of licenses a child is permitted to hold that will enable the child to take big game on the permit or tag granted to the child's parent/guardian or grandparent. Also establishes an apprentice hunting license valid for two days. The license is granted to a mentor with certain limitations (an apprentice is limited to one such license per year; a mentor may not apply for more than two apprentice licenses per year). Punishments for violation of regulations related to licensed guides are rewritten to state that a first time violation may result in a 5-year suspension of the right of the person to secure a guide license; a second violation increases the suspension to 10 years; a third may result in a permanent denial of license. Removes migratory birds from the list of game permitted to be taken by holders of certain classes of license. Effective January 1, 2009. AS SIGNED BY GOVERNOR.	First sponsor: Rep. Jerry Weiers	4/15signed by governor. Chap. 37, Laws 2008.
H2395: DUI; OUI	Would have made numerous changes to statutes governing operating a watercraft while intoxicated (OUI) and driving while intoxicated (DUI), including increasing penalties for OUI, requiring persons whose licenses had been suspended to complete an alcohol or drug screening, education or treatment program before the license may be reinstated, and changing the period of required use of an ignition interlock device to 6 months from one year if the person successfully completed a drug or alcohol treatment or education program. More. GOVERNOR'S VETO MESSAGE SAID: it is premature to change the law regarding how long a person convicted of DUI should have an ignition interlock device installed on his/her vehicle. She said the one year period as established in legislation in 2007 has been in effect for less than a year, and no one can be certain of its effect on public safety.	First sponsor: Rep. Jim Weiers	4/29VETOED message.
H2573: OFF-HIGHWAY VEHICLES; USER FEE	Effective January 1, 2009, changes in various statutes related to operation and regulation of off-highway vehicles, including a requirement that off-highway vehicles display a sticker (or indicia) issued by the Department of Transportation which shall establish a fee for the indicia. Proceeds from the sale of indicia will be used by the State Land Department to mitigate the impact of vehicles on its land. Off-highway vehicles must have certain equipment, and minors operating an off-highway vehicle must wear helmets. Violations are considered civil traffic violations. New license plates to be designed by the Dept of Transportation will replace current plates and are no longer valid for the life of the vehicle. Off-highway vehicles are subject to a vehicle license tax of \$3 instead of the regular VLT rate. It is a class 3 (lowest) misdemeanor to drive an off-highway vehicle in a manner that damages the environment where it is prohibited by rule, regulation, ordinance or code. AS PASSED HOUSE.	First sponsor: Rep. Jerry Weiers	3/19Senate nat res-rural FAILED 3-3.
H2643 (Chapter 256): DUI, OUI; RESTAURANT LIQUOR LICENSES	Makes numerous changes in DUI and OUI (Operating a Boat Under the Influence) statutes, including making penalties for OUI the same as for DUI. The driver license of a person whose license was suspended or revoked for an alcohol or drug related offense may be reinstated only after completion of court-ordered alcohol or drug screening. A judge's discretion to reduce jail time for certain first or second offense DUIs is deleted. The sunset date of the program whereby the Dept of Liquor License and Control may annually approve up to 15 special liquor licenses for restaurants that do not meet the requirement that food sales account for at least 40% of gross revenues is extended five years to June 30, 2013, from June 30, 2008. Adds a provision requiring that 5% of the annual liquor license fee paid by a restaurant whose gross proceeds from non-alcohol related sales do not comply with statutory minimums to be deposited in the DUI	First sponsor: Rep. Crandall	6/6signed by governor. Chap. 256, Laws 2008.

	Abatement Fund. AS SIGNED BY GOVERNOR.		
S1080: OPERATING UNDER THE INFLUENCE; WATERCRAFT	Makes numerous changes to statutes regarding operating a watercraft while intoxicated, including establishing sentences of incarceration for convicted persons; making a convicted person ineligible for work/school release or home detention; eliminating the civil penalty for refusing to submit to blood alcohol testing; and increasing additional assessments for convictions of operating a watercraft while intoxicated. The time period within which a second or subsequent offense may trigger enhanced punishment is lengthened to 84 months from 60 months. AS PASSED SENATE.	First sponsor: Sen. Linda Gray	3/25referred to House gov, com, trans.
S1167: OFF-HIGHWAY VEHICLES; USER FEE	Effective January 1, 2009, changes in various statutes related to operation and regulation of off-highway vehicles, including a requirement that off-highway vehicles display a sticker (or indicia) issued by the Department of Transportation, which shall establish a fee for the indicia. Proceeds from the sale of indicia are deposited in the off-highway vehicle recreation fund, monies in which are re-allocated by provisions of this act. Five percent is to be used by the State Land Department to mitigate the impact of vehicles on its land. Thirty-five percent (formerly 30%) are to be used for programs related to the safe and environmentally responsible use of off-highway vehicles. The share distributed to state parks is reduced to 60% from 70% with a 12% cap (formerly 18%) to fund staff support to administer the fund. The list of permitted uses of monies in the fund by the Parks Board is expanded. Off-highway vehicles must have stipulated equipment, and minors operating an off-highway vehicle must wear helmets. It is a class 3 (lowest) misdemeanor to drive an off-highway vehicle in a manner that damages the environment where it is prohibited by rule, regulation, ordinance or code. Violations not otherwise classified are considered civil traffic violations. New license plates to be designed by the Dept of Transportation will replace current plates, and the \$8 fee is no longer valid for the life of the vehicle. Off-highway vehicles are subject to a vehicle license tax of \$3 instead of the regular VLT rate. AS PASSED HOUSE.	First sponsor: Sen. Linda Gray	6/23Senate concurred in House amendments and passed on final reading 16-7; ready for governor.

## Oppose

H2256: GAME AND FISH; SENIOR HUNTERS	The Game and Fish Commission can issue a complimentary license to a person 65 or older who has held a class G general hunting license (Pioneer license) consecutively for the 5 preceding years. Previously, the Commission could issue complimentary licenses to a person 70 or older who had been an Arizona resident for 25 years or more. This bill has no effect on previously issued complimentary licenses.	First sponsor: Rep. Jerry Weiers	2/6House nat res-pub held.
HCR2004: APPROPRIATION OF FEDERAL MONIES	The 2008 general election ballot is to carry the question of whether to amend statutes to specify that "noncustodial federal monies" be appropriated by the Legislature. "Noncustodial federal monies" is defined as block grants, revenue sharing, all monies that are the federal portion of a federal program requiring a local match, and monies provided for which the federal government gives the state "broad authority to make spending decisions." Exemptions are provided for research grants to universities and to the Dept of Emergency and Military Affairs, and federal money awarded directly to school districts.	First sponsor: Rep. Biggs	2/13from House appro do pass.
HCR2037: CONSTITUTIONAL RIGHTS; GAME & FISH	The 2008 general election ballot is to carry the question of whether to amend the state Constitution to state that hunting and fishing are the preferred means of managing nonthreatened wildlife and that the rights of citizens to hunt and fish on public and private property, consistent with the laws of trespass, shall not be impaired.	First sponsor: Rep. Jerry Weiers	3/24House COW FAILED to approve after adopting amend #4522. Roll call 27-28.
S1264: RIGHTS OF WAY; PUBLIC LANDS	The bill would have asserted a claim by the state, on behalf of itself or its political subdivisions, to rights-of-way across public lands beginning from the effective date of the Mining	First sponsor: Sen.	5/27VETOED message

	Law of 1866 to the repeal of a provision in that act in 1976. A list of the ways by which the claims might be established would have included: use by the state with intention of establishing a public highway; inclusion of the right-of-way on an official map or plat, or execution of a memorandum of understanding with an agency of the federal government. [Capitol Reports note: Senate research staff says nationwide there are numerous disputes over control of these rights-of-way.] GOVERNOR'S VETO MESSAGE SAID: much of the land affected by this bill is in the hands of various private owners, Indian tribes, the federal government, the military and the state. For the state to dispute and courts to adjudicate every right-of-way created during the 110 year period covered by this bill "would create unnecessary uncertainty" for current land holders. She also said her veto does not preclude the state's ability to assert a claim in specific cases.	Johnson	
SCR1009: PUBLIC AGENCY LOBBYISTS	The 2008 general election ballot is to carry the question of whether to amend statutes to prohibit public officials, government employees, or contractors retained by a public body from lobbying the Legislature on behalf of that public entity. Also prohibited is the spending of public resources for lobbying the Legislature.	First sponsor: Sen. Linda Gray	2/4Senate gov held.

## Monitor

H2010: LEGISLATURE; BILL LIMITATION	Legislators may not introduce more than 10 bills in any session of the Legislature. Exemptions are provided for memorials, resolutions, the general appropriations bill, budget ORBs, and bills relating to state agency reviews and continuations. Permission to exceed the 10-bill limit may be granted for "emergency introduction" purposes only by a two-thirds vote of the chamber.	First sponsor: Rep. Chad Campbell		1/14 referred to House gov, jud.
H2011: VICIOUS ANIMALS; ATTACKS	Expands the applicability of the current vicious dog statute to include attacks on domestic animals, and increases a second violation from a class 1 (highest) misdemeanor to a class 6 (lowest) felony. Requires that a person convicted of a violation of this statute must have a microchip placed in each dog or vicious animal owned by every resident of his/her home, as well as have each dog or vicious animal spayed or neutered.	First sponsor: Rep. Lujan		1/14 referred to House jud.
H2026: VETERANS; GAME AND FISH LICENSES	Expands eligibility requirements for veterans of the armed forces with permanent service-related disabilities to qualify for complimentary game and fish licenses.	First sponsor: Rep. Tom		1/14 referred to House nat res-pub.
H2042 (Chapter 212): SCHOOLS; EMPLOYEES; SERIOUS CRIMES	A school employee or applicant for employment with a school that is arrested for or charged with an offense that would preclude the person from receiving a fingerprint clearance card must report the arrest to the person's supervisor or face immediate termination or exclusion from potential employment. A school employee convicted of an offense that would preclude the person from receiving a fingerprint clearance card or an offense of unprofessional conduct must surrender his/her teaching certificate and fingerprint clearance card, and must notify his/her employer and the Department of Public Safety. A person who violates notification requirements or surrender requirements is prohibited from teacher certification for at least 10 years. Schools must provide e-mail	First sponsor: Rep. Robson		5/20 signed by governor. Chap. 212, Laws 2008.

	addresses to DPS, and DPS must notify a district or charter school if an employee's fingerprint clearance card is suspended or revoked. Within 30 days after the effective date of this legislation, school districts and charter schools must give written notification of these requirements to employees. AS SIGNED BY GOVERNOR.				
H2043: FY 07-08 HIRING & PROMOTION FREEZE	Imposes a hiring and promotion freeze on all state budget units for the remainder of the fiscal year. Exceptions for "critical positions." Monthly reports are required from all budget units related to number of vacant positions filled and changes to the salary classification of any employees. Emergency clause. GOVERNOR'S VETO MESSAGE SAID: the bill is "wholly unnecessary" since all executive branch agencies have been under a hiring freeze since her directive issued February 21, 2008. The judicial branch and state universities have likewise instituted policies to restrict hiring. She said the bill was an unwarranted intrusion into the constitutionally protected separation of powers among the three branches of government. The bill "adds nothing to the comprehensive, bipartisan approach" required to solve the budget deficit.	First sponsor: Rep. Robson			3/14 VETOED message
H2069: GAME AND FISH COMMISSION; BISON	The language authorizing the Game and Fish Commission to purchase, sell, barter or donate bison or bison meat is changed from "buffalo" to "bison."	First sponsor: Rep. Jerry Weiers			1/14 referred to House nat res-pub.
H2070: STAGGERED WATERCRAFT REGISTRATION; 24 MONTHS	The Game & Fish Commission is authorized to register watercraft for a period of up to 24 months (previously, 18 months) in order to implement a staggered registrations system so the work of registering watercraft is uniformly distributed throughout the year. [Capitol Reports note: current statute provides for pro rata fees to be charged for registrations that exceed 12 months.]	First sponsor: Rep. Jerry Weiers			1/14 referred to House nat res-pub, appro.
H2090: EXTREME DUI; VIOLATION	The section of Laws 2007, Chapter 195, that dealt with extreme DUI are repealed. New language in this bill does not seem to make any substantive changes in extreme DUI statutes (ARS 28-1382) that were valid before the 2007 law went into effect. [Capitol Reports note: lost from the 2007 bill are references to continuous alcohol monitoring and the elimination of some judicial discretion in sentencing.]	First sponsor: Rep. Biggs			1/31 from House trans do pass.
H2095: EXTREME DUI; SENTENCE	The section of Laws 2007, Chapter 195, that dealt with extreme DUI are repealed. [Capitol Reports note: lost from the 2007 bill are references to continuous alcohol monitoring and the elimination of some judicial discretion in sentencing.]	First sponsor: Rep. Biggs			2/21 referred to House trans, com.
H2105: TAX REFUND CHECK- OFF BOXES	The voluntary tax reduction check-off boxes for contributions made to the child abuse prevention fund; special Olympics, the domestic violence shelter fund; the neighbors helping neighbors fund, and the game, nongame, fish and endangered species fund may be located on any page of the state tax return form (formerly, the boxes had to be on the first page of the form). A similar change for the clean elections fund failed to obtain the required 3/4 majority vote to change language of a voter-approved initiative, and that change is not enacted. Also, language permitting the Dept of Revenue to charge the recipient agencies an initial administrative fee to set up the various check-off funds is deleted. Effective January 1, 2009. AS PASSED CONFERENCE.	First sponsor: Rep. Yarbrough			6/17 Senate voted to reconsider 6/16 passage of bill. Date of second vote to be set by president.
H2110:	A current or former state employee or agent	First			4/10



DISCLOSURE OF CONFIDENTIAL INFORMATION	of any state agency, office or department (formerly only those of the Dept of Revenue or the Office of Administrative Hearings) is prohibited from disclosing confidential information acquired during discharge of the person's official duties. An exception is provided for court orders or compliance with other laws. A violation of this duty of confidentiality is grounds for immediate dismissal if the person is employed by the state. AS PASSED HOUSE.	sponsor: Rep. Yarbrough			from Senate fin with amend #5183. Further referred to Senate fin-ins-ret.
H2132: COUNTY WATER AUTHORITY; COLORADO RIVER	References to water from the Colorado River being apportioned for "industrial users" is deleted. Effect is to eliminate requirement that the Mohave County Water Authority use 3,500 acre-feet of its Colorado River water allotment exclusively for industrial uses, thereby reserving the entire allotment (18,500 acre feet per year) for municipal uses.	First sponsor: Rep. McLain			3/25 From Senate rules okay.
H2137: LOBBYISTS; GIFT BAN	Lobbyist gift ban laws are re-written, deleting language prohibiting gifts of more than \$10. Various exceptions are provided, including an education event (defined), non-recreational travel (defined), a special function, food and beverage not exceeding \$25, and services rendered on matters pertaining to holding or being a candidate for public office. The secretary of state must biennially adjust the per-meal limit on food and beverage according to the percentage change in the consumer price index for the preceding two years.	First sponsor: Rep. Ableser			1/16 referred to House gov, jud.
H2143: ANIMAL TESTING; LIMITATIONS	Product testing on animals is prohibited in this state if an appropriate alternative test method has been scientifically validated and recommended by the Interagency Coordinating Committee for the Validation of Alternative Methods and adopted by the relevant federal agency or program.	First sponsor: Rep. Ableser			1/22 referred to House water-agri, com.
H2153: ANIMALS; FIGHTING	Expands the criminal dog fighting statute to include animal fighting of any kind, except animals that are trained to protect livestock from prey and that engage in actions to protect livestock. Theft of any animal for the purposes of animal fighting (formerly, just dogs for the purpose of dog fighting) is a class 6 felony.	First sponsor: Rep. Paton			1/29 from House gov do pass.
H2209: BUDGET; GENERAL APPROPRIATIONS; FY09	The list of duties of community college districts is expanded to include submission to the governor and Legislature by Sept 15 each year describing partnerships entered into between the district and a university or high school regarding the transition of students between the various educational institutions. AS PASSED HOUSE.	First sponsor: Rep. Burns			6/25 from Senate appro with amend #5609. From Senate rules okay. Senate COW approved with amend #5609 and floor amend #5611; amend 5228 was withdrawn. NOTE SHORT TITLE CHANGE. Passed Senate 16-10; ready for House action on Senate amendments.
H2278: CAPITAL OUTLAY; FY08-09	A person who turns 22 years old while receiving special education services (including a student who is incarcerated) shall continue to receive special education services from their current school until the end of that	First sponsor: Rep. Hershberger			6/25 from Senate appro with amend #5603. From

	school year. AS PASSED HOUSE.				Senate rules okay. Senate COW approved with amend #5603. NOTE SHORT TITLE CHANGE. Passed Senate 17-9; ready for House action on Senate amendments.
H2285: PROCUREMENT; TECHNICAL SERVICES; COSTS; FEES	Language pertaining to the selection process for hiring technical services (architect, engineer, etc) for work on public buildings is changed to allow a selection committee or agent to include estimates on fees and prices in its consideration of which persons or firms shall be placed on a final selection list. Previously, cost information was not allowed to be requested or provided at this stage of the selection process.	First sponsor: Rep. Tobin			2/20 House com held.
H2294: CUMULATIVE ENVIRONMENTAL RISK STUDY COMMITTEE	Establishes the 12 member Cumulative Environmental Risk Legislative Study Committee to examine existing permits designed to regulate risks to the public health, welfare and the environment and existing regulatory systems. Sunsets on October 1, 2009.	First sponsor: Rep. Sinema			1/22 referred to House env.
H2295: ENVIRONMENT; CITIZEN SUITS	Makes several changes to statutes regarding the private right of action in water and environment violations, including decreasing the time period before a plaintiff may file an action after giving notice of the violation (from 120 days to 60 days) and expanding the list of proper defendants in a civil action to include a person, the state or a political subdivision of the state (formerly, just the director of ADEQ).	First sponsor: Rep. Sinema			1/22 referred to House env, jud.
H2296: ENVIRONMENTAL POLICY ACT	Adds a chapter entitled "Environmental Policy" to Title 49 (environment). Provisions include: establishing a state clearinghouse for documents involving the National Environmental Policy Act of 1969; providing for judicial review of agency actions; implements policy regarding environmental impact review. A purpose section states that environmental protection is of vital importance to this state and that state and local government must serve as models to protect human environment and the natural resources of the state. More. Effective July 1, 2009.	First sponsor: Rep. Sinema			1/23 referred to House env, gov.
H2309: DHS; ENVIRONMENTAL STANDARDS; ENVIRONMENTAL COUNCIL	Establishes the Council of Environmental Health and Environmental Justice in the Dept of Health Services to ensure equal environmental protection for all residents of the state. Upon recommendation of the Council and in consultation with the Dept of Environmental Quality, DHS shall establish standards for the number and spacing of air, water and hazardous waste permits issued by the DEQ.	First sponsor: Rep. Sinema			1/22 referred to House hel, env.
H2310: EXEMPT WELLS; ACTIVE MANAGEMENT AREAS	Beginning January 1, 2010, in an active management area, wells shall not withdraw more than 4 acre-feet per year for non-irrigation use. Beginning January 1, 2010, a person who withdraws water from any well in an active management area shall use a water measuring device approved by the director of the Dept of Water Resources, and a person who withdraws water from an exempt well in an active management area must file an annual report with the director. Penalties for a violation of the limitation on annual water use from an exempt well include \$500 for	First sponsor: Rep. Sinema			1/22 referred to House water-agri, home sec-property.



	excessive water withdrawals of up to 1 acre-foot per year, \$1,500 for excessive water withdrawals of between 1 acre-foot and 3 acre-feet and \$5,000 for excessive water withdrawals of more than 3 acre-feet.				
H2311: PUBLIC BUILDINGS; ENVIRONMENTAL STANDARDS	Plans for new public buildings of a certain size or renovations of existing public buildings that meet stated criteria must be certified to comply with a green building standard as established by the US Green Building Council. The Department of Commerce Energy Office must develop and issue guidelines for implementing this requirement, and public agencies must annually report ongoing operating savings as a result of green building requirements to the Energy Office. By July 1, 2014, the Auditor General must conduct a special audit to identify costs, savings, and effectiveness associated with implementation of the green building standard adopted by this legislation.	First sponsor: Rep. Sinema			1/22 referred to House gov.
H2312: ADOT; PESTICIDE APPLICATION; NOTICE	The Arizona Department of Transportation (ADOT) must give public notice when applying pesticide to a public area. Notice must be given for at least 24 hours prior to and after the pesticide is applied. ADOT must use pesticides in a manner that produces the lowest level of toxicity possible and must periodically review pesticide application to determine whether a reduced quantity or less toxic brand may be used.	First sponsor: Rep. Sinema			1/22 referred to House env.
H2332 (Chapter 217): FALCONRY; CAPTIVE BRED EXOTIC RAPTORS	A sport falconry license is not required to possess and transport raptors for sport falconry if the bird is not listed pursuant to the Migratory Bird Treat Act. AS SIGNED BY GOVERNOR.	First sponsor: Rep. Mason			5/20 signed by governor. Chap. 217, Laws 2008.
H2386: PROCUREMENT; SET ASIDE PROGRAM	Extends for five years until July 1, 2014, the program whereby state agencies should "endeavor" to purchase a minimum of 1% of their new products, materials or services from Arizona Industries for the Blind, Arizona Correctional Industries or other certified nonprofit entities.	First sponsor: Rep. Reagan			2/19 from House gov with amend #4202.
H2391: BUDGET RECONCILIATION; GENERAL REVENUES; FY09	The Dept of Economic Security may devise ways and means for the sale, distribution and marketing of products and services (formerly, just products) of the Arizona Industries for the Blind. The Arizona Industries for the Blind is exempt from the Procurement Code for purchases of materials, components, supplies, equipment and services (formerly, just raw materials) for the use in the manufacture of products and the performance of services (formerly, just the manufacture of products) for sale for the benefit of persons who are blind.	First sponsor: Rep. Hershberger			6/25 from Senate appro with amend #5605. From Senate rules okay. Senate COW approved with amend #5605 and floor amend #5616. NOTE SHORT TITLE CHANGE. Passed Senate 16-10; ready for House action on Senate amendments.
H2393: PROCUREMENT SERVICES; OUTSOURCING PROHIBITED	A state governmental unit shall not award a contract or development assistance to a vendor, bidder, contractor or subcontractor or an applicant for development assistance that performs the work at a site outside of the U.S..	First sponsor: Rep. Schapira			1/28 referred to House com, gov.
H2459: UNIVERSITY TRUST LAND MANAGEMENT; EXCHANGES	The powers and duty of the Board of Regents are expanded to include the direction of the disposition of lands granted to the state for university purposes. The powers and duties of the Selection Board are expanded to include the approval of any exchange of trust land between beneficiaries to ensure the lands are of	First sponsor: Rep. Robson			2/26 from House home sec-property do pass.

	substantially equal value. Enactment conditioned on an amendment to the state Constitution and an amendment to the Arizona - New Mexico Enabling Act by Congress.				
H2588: LOTTERY GAME; ENERGY EFFICIENT SCHOOLS	Beginning in FY2008-09, the Lottery Commission must establish a special game each year where proceeds are deposited in the newly established Energy Efficient Project Grants Fund. Monies in the Fund are used for grants to school districts for energy efficient school facilities projects.	First sponsor: Rep. Robson			6/25 Senate appro held.
H2833: CODED AMMUNITION; STATE DATABASE	Beginning Jan 1, 2009, all ammunition manufactured or sold in this state that is used in handguns or assault weapons must be coded. Ammo that is not coded must be disposed on no later than Jan 1, 2011. The Dept of Public Safety is to maintain a database containing a manufacturer and vendor registries. Each transaction must be recorded by date with name of purchaser, driver license or other gov't issued ID number, purchaser's date of birth and the identifier code of the ammunition purchased. A tax of one-half cent per bullet is levied for the purpose of maintaining the database. Manufacturers who are not compliant are liable for a fine of \$1000 for a first violation, \$5,000 for a second and \$10,000 for a third or subsequent violation. Vendors who are not compliant are guilty of a class 3 (lowest) misdemeanor). Requires 2/3 majority vote in each house for passage because of an increase in state revenue (per Prop 108).	First sponsor: Rep. Garcia			2/21 referred to House nat res-pub, appro.
H2853: BALD EAGLE; ENDANGERED SPECIES ACT	The Game and Fish Commission must develop a list of native species that are threatened or endangered, and the director must develop a species recovery plan. The list must be reviewed biennially. With stated exceptions, it is illegal to take, possess sell, or transport native wildlife that is endangered. Violation is a class 6 (lowest) felony.	First sponsor: Rep. Ableser			2/27 House nat res-pub held.
H2857: FY 07-08 BUDGET ADJUSTMENTS	Various adjustments to budget line items, totaling \$582.5 million in savings. Provisions include encumbering monies in various funds (preparatory to being swept into the general fund) and various amounts appropriated to state agencies may not be spent. Some appropriations are delayed, e.g., \$10 million for construction of a veterans' home in Tucson is delayed from fiscal '07 to fiscal '09. Also contains some supplemental appropriations, including \$13 million to AHCCCS. GOVERNOR'S VETO MESSAGE SAID: this bill, which addresses less than half of the current fiscal year budget shortfall, is "wholly inadequate." She said that the state deserves a comprehensive fiscal plan and called on the Legislature to work with her on a bipartisan plan to address the budget deficit.	First sponsor: Rep. Boone			3/11 VETOED message
H2858: FY 07-08 BUDGET RECONCILIATION; ENVIRONMENT	Appropriations to the Arizona Water Protection Fund and the Water Quality Assurance Revolving Fund for fiscal 07-08 are reduced by a total of \$11 million. Emergency clause.	First sponsor: Rep. Boone			2/20 from House appro with amend #4235.
HCR2007: LEGISLATIVE REFERENDUM; LIMITATION	The 2008 general election ballot is to carry the question of whether to amend the Constitution to limit the Legislature's ability to submit ballot questions to the people to no more than three on any general election ballot. If more than three are passed by the Legislature, the secretary of state shall select the three with the most affirmative votes. If that test also produces more than three, the order in which the resolutions are filed with the secretary of state will determine which measures advance to the	First sponsor: Rep. Ableser			1/16 referred to House jud.

	ballot.				
HCR2027: TRUST LANDS; UNIVERSITIES; BENEFICIARY EXCHANGES	The 2008 general election ballot is to carry the question of whether to amend the state Constitution allow each of the state's three universities to receive without cost up to 50,000 acres of state trust land. Requires Congress to amend the Enabling Act.	First sponsor: Rep. Robson			2/26 from House home sec-property do pass.
HCR2033: TECH CORRECTION; LEGISLATORS' QUALIFICATIONS	Minor change in constitutional language pertaining to qualifications to serve in the Legislature. Apparent striker bus for a ballot question.	First sponsor: Rep. Nelson			3/5 from House nat res-pub with amend #4521.
HCR2044: VOTER-PROTECTION; TEMPORARY BUDGETARY SUSPENSION	The 2008 general election ballot is to carry the question of whether to amend the state Constitution to state the Legislature may ignore voter approved requirements to appropriate or divert monies for specific purposes if both JLBC and OSPB "issue a written finding" that the fiscal year is projected to have a deficit.	First sponsor: Rep. Pearce			4/16 from Senate appro with amend #5239.
HCR2066: LEGISLATIVE RIGHT TO REDUCE APPROPRIATIONS	The 2008 general election ballot is to carry the question of whether to amend the state Constitution to permit the Legislature to reduce any appropriation or spending requirement whether enacted by the Legislature or by initiative or referendum.	First sponsor: Rep. Adams			3/5 House appro held.
HCR2068: FOREST SERVICE ROAD MANAGEMENT PLAN	Expresses the opposition of the Legislature to regulation proposed by the US Forest Service to close up to 80% of forest roads because of the adverse impact on local economies and because the new rules would lead to a further decline in forest health.	First sponsor: Rep. Konopnicki			3/5 from House nat res-pub do pass.
HCR2069: STATE BUDGET; CONTINUATION	The 2008 general election ballot is to carry the question of whether to amend the state Constitution to provide for continued funding of state agencies if a state budget has not been enacted by June 30 of any year. Funding shall be at the previous year's level. If state monies are insufficient to continue previous year's funding levels, budgets and funding shall be reduced proportionately.	First sponsor: Rep. Murphy			3/6 from House appro do pass.
S1004: EXTREME DUI; JAIL	Parts of last year's S1252 (Laws 2007, Chapter 195, sec 3) dealing with extreme DUI are repealed and replaced with language specifying that for a first offense DUI with a BAC of at least 0.15, a judge may order the defendant to not consume alcohol for a period of at least 30 days. For a second extreme DUI offense within 84 months, a judge may order a defendant to not consume alcohol for a period of 90 days. The court may extend the period of enforced abstinence from alcohol. In both instances, judicial discretion to suspend a portion of jail time associated with the offense is deleted. [Capitol Reports note: last year's law permitted a sentence of 90-day enforced abstinence as a court-ordered option only for a first offense extreme DUI with BAC of 0.20 or more.] Emergency clause. AS PASSED SENATE.	First sponsor: Sen. Waring			3/24 additionally referred to House trans.
S1005: DUI; HOME DETENTION; INELIGIBILITY	A person convicted of a DUI offense involving motor vehicles or watercraft is ineligible for home detention. Provisions governing home detention programs authorized by municipalities and counties for persons convicted of DUI offenses are deleted.	First sponsor: Sen. Waring			1/14 referred to Senate pub-hu ser.
S1006 (Chapter 183): PROFESSIONAL LICENSE EXTENSIONS; MILITARY MEMBERS	A professional license, certificate or registration issued to any member of the armed forces, the National Guard or Armed Forces Reserves shall not expire while the member is serving on federal active duty and shall be extended for 180 days after the member returns from active duty. Teaching certificates are extended for one year after the member returns from active duty. If the member has been wounded while	First sponsor: Sen. Waring			5/12 signed by governor. Chap. 183, Laws 2008.

	on active duty and is unable to resume activities associated with the licensed profession, the date of license expiration is extended to 180 days after the person can perform activities associated with the licensed profession. No additional costs, late fees or delinquency fees may be charged to members renewing their license, certificate or registration during the extended period of license validity. To qualify for the extension, the member must present to the licensing authority a copy of their official military orders or a written verification from their commanding officer. AS SIGNED BY GOVERNOR.				
S1014: GUBERNATORIAL NOMINATIONS; SENATE CONFIRMATION PROCESS	The statute specifying the procedures by which the Senate confirms gubernatorial appointments is changed to remove the differences between appointments made during legislative session and those made during the interim. Clarifies that the one year period longer than which an appointee may not serve without Senate confirmation applies to cases where the governor nominates an incumbent to the same office. Emergency clause.	First sponsor: Sen. Chuck Gray			3/18 retained on Senate COW calendar.
S1017: CAPITAL OUTLAY; FY08-09	Prohibits entities from restricting a peace officer from carrying firearms, as long as the officer is in compliance with requirements of the Peace Officers Standards and Training Board. AS PASSED SENATE.	First sponsor: Sen. Chuck Gray	Calendar: 6/26 House Third Reading		6/25 from House rules okay. House COW approved with amend #5581. NOTE SHORT TITLE CHANGE.
S1031: BUDGET; GENERAL APPROPRIATIONS; FY09	The services which the school facilities board may contract out are expanded to include construction project management, assessments to determine if school buildings have outlived their useful life and services related to land acquisition and development. When the board contracts directly with construction project managers using district or state resources, it may not modify the base cost per square foot. AS PASSED SENATE.	First sponsor: Sen. Linda Gray	Calendar: 6/26 House Third Reading		6/25 from House appro with amend #5587. From House rules okay on rereferral. House COW approved with amend #5587 and floor amend #5590 and #5591. NOTE SHORT TITLE CHANGE.
S1061: ELECTED OFFICIALS; PRINT; VISUAL MEDIA	Unless otherwise permitted by law, public funds may not be used for print, visual, broadcast, or website medium announcements or similar type of general public communication that refers to any elected official or any employee of the elected official.	First sponsor: Sen. Waring			1/14 referred to Senate gov.
S1077: MISSING PERSONS; LAW ENFORCEMENT DUTIES	Law enforcement agencies shall accept all reports of a missing person without delay and may not consider factors such as whether the person is an adult, the length of time the person has been missing or the relationship of the reporting individual to the missing person. When accepting a missing person report, law enforcement shall attempt to gather relevant information, including the missing person's identifying information, a photograph of the missing person and information on the missing person's electronic communication devices (cell phone numbers and e-mail addresses). If a person is missing more than 30 days, law enforcement shall attempt to obtain DNA samples and other materials to assist in forensic or scientific investigation. If a missing person is determined to be a high risk missing person	First sponsor: Sen. Carolyn Allen			1/14 referred to Senate pub-hu ser, jud.

	(defined), law enforcement shall immediately enter all collected information in available state and federal databases and notify the Department of Public Safety, which shall notify all other law enforcement agencies in the state and surrounding regions. Any person with custody of human remains that are not identified within 24 hours after discovery shall notify the Department of Public Safety.				
S1103: LOBBYISTS; PROHIBITED ACTS	Lobbyists are prohibited from providing to public officials information pertaining to a legislative or administrative action if the lobbyist knows the information to be false. A violation is a class 1 (highest) misdemeanor and is punishable by being prevented from acting as a lobbyist for a period of three years.	First sponsor: Sen. McCune Davis			1/16 referred to Senate gov.
S1110: FUNDS; ELIMINATION; TRANSFER	Eliminates 66 inactive funds in 18 state agencies. Statutory authority for the funds is repealed. Unspent and unencumbered monies remaining in the funds revert to the general fund. Also requires any self-supporting regulatory agency (90-10 agency) whose revenue and current fund balances exceeds stated threshold levels on Dec 1 each year to revise fees such that its anticipated annual revenues equal between 95% and 105% of its appropriated budget. AS PASSED HOUSE.	First sponsor: Sen. Burns			6/16 passed House 54-0; ready for Senate action on House amendments.
S1130: STUDY COMMITTEE; STATE PARKS FINANCING	Establishes the 9 member State Parks Financing Study Committee to study and make recommendations on the financing of the state park system. Requires the Committee to submit a report of its findings and recommendations by December 31, 2008. Sunsets October 1, 2009.	First sponsor: Sen. O'Halleran			1/23 referred to Senate nat res-rural.
S1300: FY07-08 BUDGET ADJUSTMENTS	Minor change in statute dealing with federal funds. Apparent striker bus.	First sponsor: Sen. Burns		General Comments (all lists): FY 08 budget adjustments- -striker vehicle	3/6 Senate COW approved with amend #4192 and floor amend #4550; the rules tech amendment was withdrawn. NOTE SHORT TITLE CHANGE. Senate sat as in COW and adopted amend #4561. See H2857.
S1302: TECH CORRECTION; COUNTY INSURANCE	Minor change in statute dealing with county employee insurance. Apparent striker bus.	First sponsor: Sen. Burns			6/25 Senate appro held.
S1458: STATE PARKS; RESIDENTS; FEES	Requires State Parks Board to offer an annual pass for state parks to state residents at a rate of 20% lower than the regular rate for nonresidents.	First sponsor: Sen. Gould			3/31 referred to House nat res-pub.
S1484: PRIME CONTRACTING DEDUCTION; UNIVERSITY IMPROVEMENTS	Establishes a mechanism to distribute prime contracting construction tax revenues derived from construction of buildings for the benefit of a state university to municipalities that make infrastructure improvements related to the construction. The municipality is eligible to receive the revenue up to 80% of the costs of the infrastructure improvements and only if the building project is neither funded nor guaranteed by state or local government funds. AS PASSED SENATE.	First sponsor: Sen. Verschoor	Calendar: 6/26 House Third Reading		6/25 from House rules okay. House COW approved; amend #5585 was withdrawn.

## LEGEND

- Commission Direction – The Game and Fish Commission has given direction to the Department on these bills OR the department would like to address the commission about these bills.
- Oppose – The Game and Fish Commission has voted to oppose these bills.
- Support – The Game and Fish Commission has voted to support these bills.

AMEND C&P Constitutional and Proper as Amended by the House Rules Committee

APPROP Appropriations Committee

AGFD Arizona Game and Fish Department

C&P Constitutional and Proper

COW Committee of the Whole

DP Do Pass

DPA Do Pass as Amended

GF General Fund

GOV Government Committee

GR Government and Retirement Committee

H House Bill

HCR House Concurrent Resolution

HHR House Hearing Room

Hse. House of Representatives

JUD Judiciary Committee

PFC Proper for Consideration

PFCA Proper for Consideration as Amended by the Senate Rules Committee

S Senate Bill

S/E Strike Everything Amendment

Sen. Senate

SHR Senate Hearing Room

WM Ways and Means Committee

**If you have questions relating to legislation, please contact AGFD Legislative Liaison  
Tony Guiles at (623) 236-7280 or via email at [aguiles@azgfd.gov](mailto:aguiles@azgfd.gov)**

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